

CITY OF MUSKEGON  
MUSKEGON HOUSING BOARD OF APPEALS  
MEETING MINUTES  
05/03/07  
5:30PM

ATTENDANCE: Randy Mackie, Jon Rolewicz, Chris Carter, Nick Kroes,  
Kirk Kolberg, Greg Borgman, Ed Simmons

ABSENT:

EXCUSED:

STAFF: Anthony Kleibecker, Jim Hoppus, Carmen, Don LaBrenz, Ken  
Murar, Henry Faltinowski, Scott Vanderwier

GUESTS: Courtney Roberts-Trott & Trott (2046 Crowley (Garage),  
Jeffrey G. Myers (553 Allen)

Meeting minutes: A motion was made by Randy Mackie and seconded by Chris Carter to approve the April 2007 minutes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
Nick Kroes				
Chris Carter				
Ed Simmons				
Kirk Kolberg				

Motion carried.

Greg Borgman gave commendation to Jim Hoppus from Baker Auto Trim for his wonderful customer service.

**DANGEREROUS BUILDING NEW CASES:**

**EN-070035- 2046 Crowley(Garage)- WM Specialty Mortgage LLC, 5401 N. Beach St. Stop FWTX 828, Fort Worth, TX 76137-2733**

Courtney Roberts, attorney from Trott & Trott was present to represent case.

Ms Roberts stated this property is a foreclosure sale and the redemption period doesn't expire until midnight tonight and they haven't been able to take possession of the property to assess the situation and would like more time to investigate the possibilities for this property. Jon Rolewicz asked if Ms Roberts had driven by or seen pictures of the structure. The pictures were shown to Ms. Roberts. Ms Roberts said she had seen the complaint and understand it's in pretty sore condition but her client would also like to investigate the possibility of demolishing the garage themselves to save on cost. Jon Rolewicz stated he had drove by the structure and a lot of kids are in the neighborhood and there have been numerous complaints. Nick Kroes stated owners can still choose to demo the property themselves if the HBA chose to declare structure tonight. Chris Carter asked if declared, when would the case appear before City Commission and Anthony Kleibecker stated it would be at least 90 days. Henry Faltinowski stated it might be to the owner's advantage to consider demolishing garage as soon as possible because collapse could damage neighbor's house. Ms Roberts said last time the structure was inspected it appeared it was occupied so they would have to go through an eviction process. Henry Faltinowski said it didn't appear to be occupied.

Staff Recommendation: Declare the buildings substandard, a public nuisance, and a dangerous building.

Motion made by Chris Carter and seconded by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

AYES:                      NAYES:                      EXCUSED:                      ABSENT:                      ABSTENTION:

Greg Borgman  
Randy Mackie  
Jon Rolewicz  
Nick Kroes  
Chris Carter  
Ed Simmons  
Kirk Kolberg

Motion carried.

**EN-070060- 553 Allen – Jeffrey Myers/Brad Lehman, 1646 W. US 10, Baldwin, MI 49304**

Jeffrey Myers was present to represent case.

Mr. Myers stated when he first bought the house his intent was to paint it, repair the windows, make it a working property basically for investment purposes and was on the verge of selling when property was vandalized, window smashed, and the electrical unit trashed. Mr. Myers said he is now in the process of buying the property for himself from his brother and finance it so the repairs can reflect only him and have it fully operational, new carpeting, new windows and structural improvements to the garage. Greg Borgman said an interior inspection needs to take place before any work is done. Mr. Myers said previous owner simply scraped paint and left it and when he purchased he put a coat of paint to last thru the winter but it's structurally sound the real problem is the garage. Randy Mackie asked if the intent is to rent the property. Mr. Myers said it was never his intent to rent and wish the Inspection Department would stop fining him for not registering as a landlord. Randy Mackie asked if his plans were to flip house or move into it. Mr. Myers stated his first intent was to sell it as a fixer upper but now he plans to sell as fully operational house but if that goes bad then he plans to move into the house himself. Chris Carter asked had he seen the inspection reports. Mr. Myers said he's seen several reports but thinks they may have been from previous owner. Mr. Carter noted on the inspection report about the foundation wall on the exterior of home. Mr. Myers reviewed inspections report. Ed Simmons asked if there was a timetable when repairs would be completed. Mr. Myers said he hopes financing would be approved by end of May. Nick Kroes asked how long would it take to complete and Mr. Myers said he hoped to put house on market by June 15<sup>th</sup> but not sure if he's best judge of timeline. Henry Faltinowski suggested Mr. Myers wait until the interior inspection so he would have a full picture of repairs. Nick Kroes asked if building was secure. Mr. Myers said the front door was busted open and Jon Rolewicz said back door was also open. Mr. Myers said he would like to put new doors in right away. The Board explained that house needs to be secured as soon as possible otherwise the City will board it and bill owner.

Motion made by Chris Carter to table case for 30 days pending interior inspection and was seconded by Randy Mackie.

A roll call vote was taken:

AYES:                      NAYES:                      EXCUSED:                      ABSENT:                      ABSTENTION:

Greg Borgman  
Randy Mackie  
Jon Rolewicz

Nick Kroes

Chris Carter  
Ed Simmons  
Kirk Kolberg

Motion carried.

**EN-070062- 1918 Valley St. (Home & Garage) – Federal National Mortgage Assoc., 1 S Wacker Dr., Chicago, IL 60606**

No one was present to represent case.

Mr. Anthony Kleibecker passed out pictures of property for board to review.

Staff Recommendation: Declare the building substandard, a public nuisance, and a dangerous building.

Motion made by Randy Mackie and supported by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

AYES:                      NAYES:                      EXCUSED:                      ABSENT:                      ABSTENTION:

Greg Borgman  
Randy Mackie  
Jon Rolewicz  
Nick Kroes  
Chris Carter  
Ed Simmons  
Kirk Kolberg

Motion carried.

### OLD BUSINESS:

Scott Vanderwier asked to see pictures of 553 Allen. Nick Kroes asked if staff could monitor activity at 553 Allen. Ed Simmons asked about status of 487 W. Clay. Mr. Anthony Kleibecker stated all the briefs are in before Judge Hicks and his ruling will be all or nothing situation. Chris Carter asked when can we expect a decision and Mr. Kleibecker stated case now lies in Judge Hicks timetable. Nick Kroes asked about home at 140 W. Southern, eviction notice posted and now two broken windows. Scott Vanderwier asked about Spot Light Nightclub and Mr. Kliebecker said they had planned to open May 1<sup>st</sup> but there are alot of issues pending on building. Ed Simmons asked about status of 790 Terrace and Don LaBrenz stated interior structural repairs have been completed and now are awaiting a second set of drawings for exterior from architect. Staff and board discussed status of project at 4 W. Webster.

### NEW BUSINESS:

**ADJOURNMENT:                    5:56 PM**

## CITY OF MUSKEGON

### AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Becker, City Clerk  
933 Terrace Street  
Muskegon, MI 49443  
(231) 724-6705 or TDD (231) 724-6773